



General Assembly

Substitute Bill No. 5416

January Session, 2001

***AN ACT EXPANDING THE DEFINITION OF PERSONAL INJURY
UNDER THE WORKERS' COMPENSATION ACT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subdivision (16) of section 31-275 of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (16) (A) "Personal injury" or "injury" includes, in addition to
4 accidental injury which may be definitely located as to the time when
5 and the place where the accident occurred, an injury to an employee
6 [which] that is causally connected with [his] the employee's
7 employment and is the direct result of repetitive trauma or repetitive
8 acts incident to such employment, and occupational disease.

9 (B) "Personal injury" or "injury" shall not be construed to include:

10 (i) An injury to an employee [which] that results from [his] the
11 employee's voluntary participation in any activity the major purpose
12 of which is social or recreational, including, but not limited to, athletic
13 events, parties and picnics, whether or not the employer pays some or
14 all of the cost of such activity;

15 (ii) A mental or emotional impairment, unless such impairment
16 arises from a physical injury or occupational disease or, in the case of a
17 police officer, unless such impairment arises from such police officer's
18 use of deadly force or subjection to deadly force in the line of duty,

19 regardless of whether such police officer is physically injured,
20 provided such police officer (I) is the subject of an attempt by another
21 person to cause such police officer serious physical injury or death
22 through the use of deadly force, and (II) reasonably believes such
23 police officer to be the subject of such an attempt. As used in this
24 clause, "police officer" means a member of the Division of State Police
25 within the Department of Public Safety or an organized local police
26 department, a chief inspector or inspector in the Division of Criminal
27 Justice, a conservation officer or special conservation officer, as defined
28 in section 26-5, an appointed constable who performs criminal law
29 enforcement duties, a special police officer appointed under section 29-
30 18, 29-18a or 29-19, an adult probation officer appointed under section
31 54-104, an employee of the Department of Correction, a member of the
32 Office of State Capitol Police and a member of a special police force
33 established under section 10a-55 or a person providing security
34 services for a public institution of higher education; and "in the line of
35 duty" means any action that a police officer is obligated or authorized
36 by law, rule, regulation or written condition of employment service to
37 perform, or for which the police officer is compensated by the public
38 entity such officer serves;

39 (iii) A mental or emotional impairment [which] that results from a
40 personnel action, including, but not limited to, a transfer, promotion,
41 demotion or termination; or

42 (iv) Notwithstanding the provisions of clause (i) of this
43 subparagraph, "personal injury" or "injury" includes injuries to
44 employees of local or regional boards of education resulting from
45 participation in a school-sponsored activity but does not include any
46 injury incurred while going to or from such activity. As used in this
47 clause, "school-sponsored activity" means any activity sponsored,
48 recognized or authorized by a board of education and includes
49 activities conducted on or off school property and "participation"
50 means acting as a chaperone, advisor, supervisor or instructor at the
51 request of an administrator with supervisory authority over the
52 employee.

LAB *JOINT FAVORABLE SUBST.*